

MINUTES

MONTANA SENATE 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON FINANCE AND CLAIMS

Call to Order: Chair Llew Jones, on March 27, 2015 at 8:00 AM, in Room 317 Capitol

ROLL CALL

Members Present:

Sen. Llew Jones, Chair (R)
Sen. Bob Keenan, Vice Chair (R)
Sen. Mark Blasdel (R)
Sen. John Brenden (R)
Sen. Mary Caferro (D)
Sen. Bradley Hamlett (D)
Sen. Kris Hansen (R)
Sen. David Howard (R)
Sen. Jim Keane (D)
Sen. Frederick (Eric) Moore (R)
Sen. Mike Phillips (D)
Sen. Rick Ripley (R)
Sen. Matthew M. Rosendale Sr (R)
Sen. Jon C. Sesso (D)
Sen. Cary Smith (R)
Sen. Janna Taylor (R)
Sen. Roger Webb (R)
Sen. Jonathan Windy Boy (D) (arrived after roll call)
Sen. Cynthia Wolken (D)

Members Excused: None

Members Absent: None

Staff Present: Prudence Gildroy, Committee Secretary
Julie Johnson, Legislative Branch
Jon Moe, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 386, 3/26/2015; SB 212, 3/26/2015; SB 326, 3/26/2015; SB 394, 3/26/15; SB 395, 3/26/15

Executive Action: SB 194 Do Pass; SB 399 Do Pass; SB 411 Do Pass As Amended; SB 413 Be Tabled; SB 416 Do Pass As Amended; SB 419 Be Tabled; SB 407 Be Tabled; SB 193 Reconsider Action; SB 410 Do Pass As Amended; SB 412 Be Tabled; SB 420 Do Pass

HEARING ON SB 386

Opening Statement by Sponsor:

00:01:14 Sen. Jill Cohenour (D), SD 42, opened the hearing on SB 386, Revising late file penalty, filing, and withholding for pass-through entities.

Proponents' Testimony:

00:02:46 Gene Walborn, Department of Revenue (DOR)

00:03:19 Holly Franz, Montana Society of CPA's

00:03:48 Jessie Luther, National Association of Publicly Traded Partnerships

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:04:20 Sen. Caferro

EXECUTIVE ACTION ON SB 194

00:05:09 Sen. Cohenour

00:06:20 **Motion/Vote:** Sen. Caferro moved that **SB 194 DO PASS**. Motion carried unanimously by voice vote. Sen. Windy Boy voted by proxy.

EXECUTIVE ACTION ON SB 399

00:07:27 **Motion:** Sen. Webb moved that **SB 399 DO PASS**.

Discussion:

00:07:54 Sen. Ripley

00:08:11 **Vote:** Motion carried unanimously by voice vote. Sen. Windy Boy voted by proxy.

EXECUTIVE ACTION ON SB 411

00:08:54 **Motion:** Sen. Caferro moved that **SB 411 DO PASS**.

00:09:56 **Motion:** Sen. Caferro moved that **SB 411 BE AMENDED**.

EXHIBIT(fcs64a01)

Discussion:

00:10:11 Sen. Caferro

00:10:46 **Vote:** Motion carried unanimously by voice vote. Sen. Windy Boy voted by proxy.

00:11:02 **Motion:** Sen. Caferro moved that **SB 411 DO PASS AS AMENDED.**

Discussion:

00:11:11 Sen. Caferro

00:12:05 Chair Jones

00:12:44 Jon Moe, Legislative Fiscal Division (LFD)

00:12:54 **Motion/Vote:** Sen. Caferro moved that **SB 411 BE AMENDED CONCEPTUALLY (STRIKING "JULY 1, 2016" AND INSERTING "DECEMBER 31, 2016.")** Motion carried unanimously by voice vote. Sen. Windy Boy voted by proxy.

00:13:19 **Motion:** Sen. Caferro moved that **SB 411 DO PASS AS AMENDED.**

Discussion:

00:13:29 Sen. Keane

00:14:39 Sen. Ripley

00:15:19 Sen. Hamlett

00:15:54 Sen. Phillips

00:16:13 Sen. Caferro

00:17:21 Sen. Phillips

00:17:49 Sen. Caferro

00:17:59 **Vote:** Motion carried 14-5 by roll call vote with Sen. L. Jones, Sen. Keane, Sen. Phillips, Sen. Sesso and Sen. Windy Boy voting no. Sen. Windy Boy voted by proxy.

EXECUTIVE ACTION ON SB 413

00:19:26 **Motion:** Sen. Hansen moved that **SB 413 DO PASS.**
EXHIBIT(fcs64a02)

00:19:37 **Motion:** Sen. Hansen moved that **SB 413 BE AMENDED.**

Discussion:

00:19:59 Chair Jones

00:20:44 Sen. Taylor

00:20:48 Chair Jones

00:21:00 **Vote:** Motion carried 18-0 by voice vote. Sen. Windy Boy was excused.

00:21:17 **Motion:** Sen. Hansen moved that **SB 413 DO PASS AS AMENDED.**

Discussion:

00:21:40 Chair Jones

[**EXHIBIT**](#)(fcs64a03)

00:23:10 Sen. Taylor

00:23:36 Chair Jones

00:23:43 Sen. Keane

00:24:23 **Vote:** Motion failed 5-14 by roll call vote with Sen. Blasdel, Sen. Hansen, Sen. Howard, Sen. F. Moore and Sen. Sesso voting aye. Sen. Windy Boy voted by proxy.

00:25:08 **Motion/Vote:** Sen. Hansen moved that **SB 413 BE TABLED AND THE VOTE REVERSED.** Motion carried 14-5 by voice vote with Sen. Blasdel, Sen. Hansen, Sen. Howard, Sen. F. Moore and Sen. Sesso voting no. Sen. Windy Boy voted by proxy.

EXECUTIVE ACTION ON SB 416

00:26:14 **Motion:** Sen. Brenden moved that **SB 416 DO PASS.**

00:26:58 Chair Jones

[**EXHIBIT**](#)(fcs64a04)

00:27:25 **Motion:** Sen. Brenden moved that **SB 416 BE AMENDED.**

[**EXHIBIT**](#)(fcs64a05)

Discussion:

00:27:40 Chair Jones

00:28:07 Sen. Ripley

00:28:17 Chair Jones

00:28:43 Sen. Moore

00:29:12 Chair Jones

00:29:26 Sen. Sesso

00:29:34 Chair Jones

00:30:55 **Substitute Motion/Vote:** Sen. Jones made a substitute motion that **SB 416 BE AMENDED CONCEPTUALLY (ON PAGE 3, LINE 24 (6) STRIKING "DEVELOPMENT" AND INSERTING "IMPACTS."** Substitute Motion carried unanimously by voice vote. Sen. Windy Boy voted by proxy.

00:31:24 **Vote:** Motion carried unanimously by voice vote. Sen. Windy Boy voted by proxy.

00:31:41 **Motion:** Sen. Brenden moved that **SB 416 DO PASS AS AMENDED.**

Discussion:

00:31:53 Sen. Sesso
 00:33:30 Sen. Brenden
 00:33:42 Sen. Moore
 00:34:09 Sen. Sesso
 00:35:27 Sen. Brenden
 00:35:38 Sen. Rosendale
 00:36:15 Sen. Sesso
 00:37:56 Sen. Rosendale
 00:38:55 Sen. Keane
 00:40:10 Sen. Brenden
 00:40:47 Chair Jones
 00:40:58 Sen. Hansen
 00:41:09 Sen. Brenden
 00:41:10 Sen. Hansen
 00:41:19 Jon Moe, Legislative Fiscal Division (LFD)

00:41:50 **Motion/Vote:** Sen. Sesso moved that **SB 416 BE AMENDED CONCEPTUALLY ON PAGE 5 LINE TO AND PAGE 5 LINE 5 STRIKING "CONSTRUCTION" AND INSERTING "IMPROVEMENT"**. Motion carried unanimously by voice vote. Sen. Windy Boy voted by proxy.

00:42:06 **Motion/Vote:** Sen. Brenden moved that **SB 416 DO PASS AS AMENDED.** Motion carried unanimously by voice vote. Sen. Windy Boy voted by proxy.

EXECUTIVE ACTION ON SB 419

00:44:33 **Motion:** Sen. Hamlett moved that **SB 419 DO PASS.**
EXHIBIT(fcs64a06)

Discussion:

00:44:45 Chair Jones
 00:44:50 Sen. Moore
 00:45:29 Sen. Ripley
 00:46:14 Sen. Hamlett

00:48:13 **Vote:** Motion failed 9-10 by roll call vote with Sen. Brenden, Sen. Caferro, Sen. Hamlett, Sen. Wolken, Sen. Keane, Sen. Phillips, Sen. Ripley, Sen. Sesso and Sen. Windy Boy voting aye. Sen. Windy Boy voted by proxy.

00:48:21 **Motion/Vote:** Sen. F. Moore moved that **SB 419 BE TABLED.** Motion carried 15-3 by voice vote with Sen. Hamlett, Sen. Phillips and Sen. Sesso voting no. Sen. Windy Boy was excused.

EXECUTIVE ACTION ON SB 407

00:49:08 **Motion:** Sen. Hansen moved that **SB 407 DO PASS.**

Discussion:

00:49:18 **Motion:** Sen. Hansen moved that **SB 407 BE AMENDED.**
EXHIBIT(fcs64a07)

Discussion:

00:49:47 Jon Moe, Legislative Fiscal Division (LFD)
00:50:25 Chair Jones

00:50:31 **Vote:** Motion carried unanimously by voice vote. Sen. Windy Boy voted by proxy.

00:50:45 **Motion:** Sen. Hansen moved that **SB 407 DO PASS AS AMENDED.**

Discussion:

00:50:57 Sen. Wolken

00:51:33 **Substitute Motion/Vote:** Sen. Caferro made a substitute motion that **SB 407 BE TABLED.** Substitute Motion carried 13-6 by roll call vote with Sen. Brenden, Sen. L. Jones, Sen. F. Moore, Sen. Ripley, Sen. Rosendale and Sen. C. Smith voting no. Sen. Windy Boy voted by proxy.

EXECUTIVE ACTION ON SB 420

Discussion:

00:53:28 Chair Jones
00:53:31 Sen. Hamlett
00:54:21 Chair Jones

EXECUTIVE ACTION ON SB 193

00:54:24 **Motion:** Sen. Ripley moved to **RECONSIDER ACTION** on **SB 193** and that **SB 193 BE REMOVED FROM TABLED.**

Discussion:

00:54:54 Sen. Ripley
EXHIBIT(fcs64a08)

00:55:39 Sen. Keane
00:56:37 Chair Jones

00:56:53 **Vote:** Motion failed 8-10 by roll call vote with Sen. Blasdel, Sen. Caferro, Sen. L. Jones, Sen. Keenan, Sen. F. Moore, Sen. Phillips, Sen. Ripley and Sen. Wolken voting aye. Sen. Windy Boy was excused.

Discussion:

00:58:21 Sen. Taylor

00:58:56 Recess

01:11:02 Reconvene

Vice Chair Keenan assumed the chair. Sen. Windy Boy joined the meeting.

EXECUTIVE ACTION ON SB 410

01:11:35 **Motion:** Sen. L. Jones moved that **SB 410 DO PASS.**

Discussion:

01:13:27 Chair Keenan

01:14:09 Sen. Jones

01:15:00 **Motion:** Sen. L. Jones moved that **SB 410 BE AMENDED.**

[EXHIBIT\(fcs64a09\)](#)

Discussion:

01:15:10 Sen. Jones

01:15:43 Sen. Moore

01:16:02 Sen. Jones

01:16:37 Sen. Phillips

01:16:47 Sen. Jones

01:17:03 Sen. Keane

01:17:27 Sen. Rosendale

01:17:41 Sen. Keane

01:17:50 Sen. Hamlett

01:18:06 Sen. Jones

01:18:16 **Vote:** Motion carried 13-6 by voice vote with Sen. Caferro, Sen. Hamlett, Sen. Keane, Sen. Phillips, Sen. Sesso and Sen. Wolken voting no. Sen. Windy Boy was excused.

01:18:49 **Motion:** Sen. L. Jones moved that **SB 410 DO PASS AS AMENDED.**

[EXHIBIT\(fcs64a10\)](#)

Discussion:

01:19:50 Jaret Coles, Legislative Services Division (LSD)

01:22:35 Chair Jones

01:22:45 **Vote:** Motion carried 13-6 by roll call vote with Sen. Caferro, Sen. Hamlett, Sen. Keane, Sen. Phillips, Sen. Sesso and Sen. Wolken voting no.

01:24:09 **Motion:** Sen. L. Jones moved that **SB 410 BE AMENDED.**
EXHIBIT(fcs64a11)

Discussion:

01:24:17 Sen. Jones

01:25:46 **Vote:** Motion carried 13-6 by roll call vote with Sen. Caferro, Sen. Hamlett, Sen. Keane, Sen. Phillips, Sen. Sesso and Sen. Wolken voting no.

01:26:36 **Motion:** Sen. L. Jones moved that **SB 410 DO PASS AS AMENDED.**

Discussion:

01:26:55 Sen. Ripley

01:27:06 Sen. Jones

01:27:42 Sen. Ripley

01:27:47 Sen. Jones

01:27:50 Sen. Hamlett

01:28:36 Sen. Keane

01:28:46 **Vote:** Motion carried 12-7 by roll call vote with Sen. Caferro, Sen. Hamlett, Sen. Keane, Sen. Phillips, Sen. Sesso, Sen. Windy Boy and Sen. Wolken voting no.

EXECUTIVE ACTION ON SB 412

01:29:43 **Motion:** Sen. L. Jones moved that **SB 412 DO PASS.**

Discussion:

01:30:05 Sen. Jones

01:30:46 **Substitute Motion/Vote:** Sen. L. Jones made a substitute motion that **SB 412 BE TABLED.** Substitute Motion carried 17-2 by voice vote with Sen. F. Moore and Sen. Ripley voting no.

Chair Jones assumed the chair.

EXECUTIVE ACTION ON SB 420

01:31:35 **Motion:** Sen. Hamlett moved that **SB 420 DO PASS.**

Discussion:

01:32:01 Sen. Hamlett

EXHIBIT(fcs64a12)

01:32:51 Sen. Hansen

01:33:10 Sen. Hamlett
01:33:37 Sen. Hansen
01:34:01 Chair Jones
01:34:46 Sen. Moore
01:35:31 Sen. Keane
01:35:38 Sen. Moore
01:35:54 Sen. Hamlett
01:36:26 Sen. Sesso
01:37:42 Sen. Hamlett
01:38:39 Sen. Rosendale
01:39:14 Sen. Hamlett

01:39:37 **Vote:** Motion carried 10-9 by roll call vote with Sen. Blasdel, Sen. Howard, Sen. L. Jones, Sen. Keenan, Sen. F. Moore, Sen. Ripley, Sen. Rosendale, Sen. C. Smith and Sen. Taylor voting no.

01:41:14 Sen. Keane assumed the chair. Sen. Brenden, Sen. Ripley and Chair Jones left the meeting.

HEARING ON SB 212

Opening Statement by Sponsor:

01:43:21 Sen. Scott Sales (R), SD 35, opened the hearing on SB 212, Revise late filing penalties and extension laws.

Proponents' Testimony:

01:44:58 Bob Story, Montana Taxpayers Association (MONTAX)

Opponents' Testimony: None

Informational Testimony:

01:45:34 Gene Walborn, Department of Revenue (DOR)

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:45:52 Sen. Sales

HEARING ON SB 326

Opening Statement by Sponsor:

01:46:12 Sen. Jedediah Hinkle (R), SD 32, opened the hearing on SB 326, Revise state land laws.

Proponents' Testimony:

01:49:18 George Golie, Montana Wildlife Federation (MWF)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:50:53 Sen. Sesso
01:51:08 Sen. Hinkle
01:51:18 Sen. Ripley
01:51:42 Sen. Hinkle
01:53:59 Sen. Ripley
01:54:50 Sen. Rosendale
01:55:32 Sen. Ripley

Closing by Sponsor:

01:55:48 Sen. Hinkle

HEARING ON SB 394

Opening Statement by Sponsor:

01:56:54 Sen. Mark Blasdel (R), SD 4, opened the hearing on SB 394, Revise intangible personal property exemption and unit valuation methodology.

[EXHIBIT\(fcs64a13\)](#)

Proponents' Testimony:

01:59:28 Bob Story, Montana Taxpayers Association (MONTAX)
02:03:39 Mark Baker, Kalispell Chamber of Commerce and for Montana Chamber of Commerce and Montana Petroleum Association

Opponents' Testimony:

02:04:15 Mike Kadas, Department of Revenue (DOR)
02:07:21 David Nielsen, Montana League of Cities and Towns (MLCT)
02:08:38 John MacDonald, City of Missoula
02:09:14 Heather O'Loughlin, Montana Budget and Policy Center (MBPC)

Informational Testimony: None

Questions from Committee Members and Responses:

02:10:34 Sen. Wolken
02:10:59 Mr. Story, MONTAX
02:11:53 Sen. Sesso
02:12:24 Mr. Kadas, DOR

Closing by Sponsor:

02:13:30 Sen. Blasdel

HEARING ON SB 395

Opening Statement by Sponsor:

02:14:50 Sen. Mark Blasdel (R), SD 4, opened the hearing on SB 395, Revise laws related to youth hunting.

[**EXHIBIT\(fcs64a14\)**](#)

Proponents' Testimony:

02:17:34 Mark Taylor, representing himself

Opponents' Testimony:

02:19:53 George Golie, Montana Wildlife Federation (MWF)

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

02:21:05 Sen. Blasdel

ADJOURNMENT

Adjournment: 10:27 a.m.

Prudence Gildroy, Secretary

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Additional Documents:

EXHIBIT([fcs64aad.pdf](#))